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HUMAN RIGHTS COMMITTEE

Fifty-eighth session

SUMMARY RECORD OF THE 1548th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 31 October 1996, at 3 p.m.

Chairman: Mr. EL-SHAFEI
(Vice-Chairman)

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In the absence of Mr. Aguilar Urbina, Mr. El-Shafei, Vice-Chairman took the Chair

The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE COVENANT (agenda item 4) (continued)

Third periodic report of Peru (continued) (CCPR/C/83/Add.1)

1. At the invitation of the Chairman, Mr. Hermoza-Moya and Mr. Reyes-Morales (Peru) took places at the Committee table.

2. The CHAIRMAN asked the members of the Committee if they had any more questions relating to Part I of the list of issues.

3. Mr. FRANCIS said that gender issues must be addressed vigorously in order to ensure that women were able to make their full contribution to society. Information from non-governmental organizations (NGOs) indicated that, in Peru, women were prohibited from working in a number of capacities, including the army and the police forces. The list of jobs from which women were excluded even extended to the sale of flowers and candy on the street. Peru must give serious consideration to ending the exclusion of women from certain tasks, so that they could find their chosen occupations freely and without restraint of any kind.

4. The CHAIRMAN invited the delegation of Peru to reply to the comments made by Committee members in connection with Part I of the list of issues.

5. Mr. HERMOZA-MOYA (Peru) said he wished to respond first of all to the concern expressed by Mr. Bruni Celli that a statement he himself had made in July 1996 reflected a policy of hostility towards NGOs: he had been quoted as saying that representatives of NGOs were spreading vulgar lies. What he had in fact stated - and reaffirmed - was that the charges advanced by NGOs must not be accepted automatically, without prior verification.

6. His Government had often heard statements from such organizations that did not reflect the truth: for example, the allegation that political prisoners or prisoners of conscience were designated as terrorists, as well as the charge that an exceptionally large number of people were tried for terrorism or treason. The newspaper that had printed the report on his statement was one of the Government's most strident critics. Its very existence attested to the freedom of the press in Peru. His Government deplored, however, the acceptance of a press report as a supposedly authentic version of events.

7. The ad hoc committee on which he served continued to receive information and appeals for pardons from NGOs concerning persons accused of terrorism, and the Government had issued a large number of pardons on the Committee's recommendation.

8. Mr. Bruni Celli had also referred to the case of a woman who had received telephone threats in connection with her defence of persons accused

of terrorism. Those allegations had not been communicated to the Peruvian authorities: if they had, they would have been handled like all other allegations. He understood, however, that the Ministry of the Interior had been informed of them and had instigated a serious and thorough police investigation; the charges had not, however, been substantiated.

9. Reference had been made to the legislation adopted by Congress on 12 October 1996 extending the operation of the "faceless courts". In his capacity as Minister of Justice, he had stated that the time had not yet come to do away with the "faceless courts", but that they should be abolished once terrorism ceased to exist in Peru. He had stated, not that there was currently a resurgence of terrorism, but that manifestations of terrorism still occurred.

10. He had already drafted a proposal for the partial deactivation of the faceless courts, which would be submitted to the President for conversion into draft legislation. The state of emergency had been instituted to deal with a specific phenomenon, and it must give way at some point to a return to the normal rule of law.

11. Mrs. Medina Quiroga had referred to Decree-Law No. 25744, which allegedly doubled the period stipulated by the Constitution for detention or retention incommunicado of persons charged with drug trafficking or terrorism. That Decree-Law predated the Constitution and had consequently been abrogated when the Constitution had been adopted. The constitutional provision of 15 days, non-extendable, for detention in such cases thus prevailed.

12. Mrs. Medina Quiroga had likewise expressed concern about inequality between the sexes. There was no discrimination between men and women and equal rights were guaranteed to both sexes in the Constitution. The Civil Code provided for equal opportunity for both sexes to enjoy and exercise their rights, for both men and women to take part in running the household and for joint responsibility in the administration of property.

13. While the Civil Code provided for equality of rights, the rights of women had in some instances been supplemented under the Penal Code. As part of a recognition of de facto status, for example, the rights of concubines had been reinforced and they had been given the same rights as spouses. The crime of rape was outlined in the Penal Code as a means of protecting women against sexual violence. The Penal Code also regulated assistance to pregnant and abandoned women.

14. On grave insult as a ground for divorce, he said that the laws had to be implemented in line with Peru's sociocultural situation, but that did not mean there was any intention to discriminate. What might be considered a grave insult in the higher social and economic strata was simply not deemed to be such in other, more depressed, social and economic circumstances.

15. The fact that matrimony could end criminal proceedings for an offence between a man and a woman was seen as a cause for concern. Under the law, a girl of 14 years of age could be married to an offender with whom she might initially have had sexual relations, as long as there was no large difference between their ages and no evidence of abusive aggression in their

relationship. Plea bargaining was impossible in cases involving rape: it could only be used in cases of sexual crimes such as seduction, for which the victim only was entitled to bring charges. A legislative initiative had recently been launched by two congresswomen to end the use of matrimony as an exemption from responsibility.

16. Mrs. Medina Quiroga had asked about the number of shelters and refuges in the country. Peru had done a great deal to protect abused women. It had set up offices exclusively to handle accusations by women. The Office of the Police Procurator was concerned not only with the provision of legal protection for women but also with the development of public information policies. Congress had ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women. Local governments had organized workshops on prostitution, family violence, spousal abuse and sexual abuse of children at which guidelines had been developed for the prevention and handling of such problems. In 1993, a law against family violence had been passed. The Ministry of Justice had established a hot line for family-violence cases which operated 24 hours a day and provided immediate assistance from local authorities. Manuals for handling family violence had been issued. There were innumerable shelters for abandoned or endangered children, and a network of approximately 80,000 centres provided for the care of children up to 3 years of age.

17. The four cases covered by the communications cited in question (b) in Part II of the list of issues were currently being considered by the Constitutional Court and, until it had handed down its ruling, the Government could take no action.

18. Mr. Ando had expressed concern about the treatment of men and women in the prison system. The prison population was divided up on the basis of a number of factors, including socio-economic situation and criminal record. The legal difference between accused and convicted persons was also taken into account and the two groups were often incarcerated in separate establishments. There were also maximum-security facilities for terrorists and common criminals considered extremely dangerous.

19. The treatment of prisoners fell into several categories: solitary confinement, first-year incarceration, forced labour, etc. The entire system had been devised scientifically and was operated by specialists in modern prison-administration techniques. As a result, there were no riots among the prison population.

20. Prisons were regarded not just as detention centres but as rehabilitation centres as well. One concern was to provide protection for the prisoner's family members, who were often in great difficulty as a result of the detention of their breadwinner. Material support was provided to them in the form of free transport and food when they visited the prison to see the prisoner. The education of prisoners was fostered through various programmes with the participation of specialists and psychologists.

21. Threats, intimidation and murders of journalists, which had been linked to terrorist violence in Peru, no longer occurred. Journalists were currently able to exercise their profession freely, in a context of complete freedom of

the press and of expression. Trade-union rights and the right to strike were guaranteed by the Constitution, which reproduced the relevant provisions of the Covenant.

22. Replying to a question concerning the electoral rights of police and military personnel, he said that, in Peru as in many o her Latin American countries, members of the police and the armed forces were constitutionally debarred from voting in elections. The object of the provision was to avoid confusion about the role of the police and the armed forces in the country's civil affairs.

23. With regard to the status of children, he said that measures for the protection of children were organized at the national level in cooperation with local governments and municipal and parish authorities. Preparations were in progress for the establishment of a national directorate for the protection of children and adolescents. A register of all private and public child-care institutions was maintained. A technical secretariat existed for the special purpose of monitoring compliance with adoption laws. Steps were being taken not only to prevent child abuse and adolescent drug abuse but also to reduce malnutrition among children.

24. Replying to comments that the new Constitution appeared to represent a retrograde step in terms of compliance with the principles of the Covenant, he said that the matter required more extensive study than the time-limits of the current discussion would allow. It was true that, under the new Constitution, acts of terrorism as well as acts of wartime treason were punishable by the death penalty, but the provision was largely symbolic. There was no substantive law that provided for the death penalty for any crime other than that of wartime treason. The only penalties provided by the Penal Code were deprivation of freedom, restriction of rights and fines, the most severe penalty applied in cases of terrorism and drug trafficking being that of life imprisonment.

25. Articles 139 and 163 of the Constitution recognized the existence of a military jurisdiction and declared members of the armed forces subject to trial by military courts. All guarantees of a fair trial were fully respected and the fact that military court decisions included both acquittals and convictions demonstrated that there was no reason to suspect the courts of partiality. The constitutional provisions relating to military justice were not applicable to civilians other than those accused of terrorist acts. Full guarantees were provided for the legal training of military judges and were duly implemented.

26. The Government's concern to prevent any form of injustice was demonstrated by the ad hoc Commission set up by Congress with powers to grant pardon to individuals tried and sentenced for crimes. As already pointed out, the Commission had been presided over by the Ombudsman and its members had included a well-known priest who had devoted his entire life to the welfare of prisoners.

27. Replying to questions relating to the status of women in Peru, he informed the Committee that Congress had, on the previous day, enacted a law creating a Ministry of Women and Human Development, which was to deal with all

matters relating to women, families, displaced persons and all aspects of social welfare. The work of the new Ministry was to be regarded as a priority area and its establishment undoubtedly represented a major development.

28. So far as women's rights were concerned, he wished to reaffirm that no discrimination against women was practised in Peru under any existing legal provisions or standards. The proportion of female mayors, congresswomen and female civil servants demonstrated the fact that the presence of women in public life was guaranteed. Three ministries - Industry, Transport and the new Ministry he had just mentioned - were headed by women.

29. As for acts of violence against women, all such acts were duly entered in the police records. Where physical injury had been caused, criminal proceedings were initiated against the perpetrator. Precise statistics would be transmitted to the Committee after his return to Peru.

30. Peruvian legislation on the subject of abortion had hardly changed since 1924. Therapeutic abortion to save the mother's life was not punishable under criminal law. In certain situations, such as abortion subsequent to rape, the penalty imposed tended to be merely symbolic and moves to decriminalize abortion in such circumstances were under way. The current position was a relic of dogmatic religious views prevailing in the past. Backstreet abortions carried very high penalties because of the great danger of death involved. Sexual blackmail of women detainees was not possible in Peru because women's prisons had only female warders.

31. A question had been asked about the status of home workers. Their rights were fully protected by an act of Congress guaranteeing due remuneration, medical care, etc. A regulation had recently been issued by the Government to promote home employment and ensure equality of opportunities.

32. Replying to a question under article 8, he said that forced or bonded labour did not exist in Peru; a form of semi-slavery had been discovered in the country's mining areas in the past, but had been prohibited and made subject to heavy penalties, especially with respect to minors. All workers had the right to belong or not to belong to a trade union. The working week for both men and women was fixed at 48 hours spread over six working days. Working mothers were entitled to both prenatal and post-natal leave. A recent advance in the law enabled women to combine all or part of prenatal leave with post-natal leave if they so desired.

33. Lastly, replying to a question based on allegations by NGOs that women in Peru did not do the same work as men, he reiterated that such was not the case. For some time past, women had been able to join the armed forces and the police and could even rise to officer rank.

34. Mrs. MEDINA QUIROGA said that she was confused by the answers given to some of her earlier questions. In particular, it was unclear what the situation was with regard to presumed terrorists detained for longer than 15 days.

35. Mr. BRUNI CELLI said that being told that the system of "faceless judges" had been extended for one year by an act of Congress was not helpful

in terms of the concern he had expressed. The Committee's dialogue was with the State party as an entity, not with a country's executive authorities. The explanation provided was not sufficient for the purposes of the Committee which, in its preliminary observations of 25 July 1996, had particularly urged that the system be abolished.

36. He was not alone in viewing the situation with alarm; a number of leading personalities in Peru, including the President of the Association of Peruvian Magistrates, the Ombudsman, the leader of one of the government parties and several members of Congress, had proclaimed their opposition to the extension of the "faceless judges" system. He would like to know what circumstances had obliged the State party to extend a system regarding which the Committee, and many others, had expressed profound concern.

37. Mrs. EVATT asked whether the steps that had been taken to prevent violence against women had produced any measurable impact in terms of the number of prosecutions brought.

38. Mr. FRANCIS said that he was concerned less about the question of women having access to men's jobs than about that of work considered suitable for men but too dangerous for women. He wondered whether, for example, conditions in underground mines and quarries could not be made safer so that women could compete on an equal footing with men in those areas of employment.

39. Mr. REYES-MORALES (Peru), replying to question (b) of Part II of the list of issues, said that, immediately after the delegation's return to Peru following the Committee's previous session, steps had been taken to contact the four individuals concerned. One of them could unfortunately not be found, but he had himself interviewed the three others, one of them being represented by her brother. The results of those interviews had been forwarded to the Constitutional Court, which was currently reviewing the cases in question. The decision of the Constitutional Court would be communicated to the Committee in due course.

40. Mr. HERMOZA-MOYA (Peru), replying to Mr. Bruni Celli, said that Peru was a State in which the rule of law and democracy prevailed. It therefore consisted of an executive, a legislature and a judiciary, three separate and autonomous powers that no individual could claim to represent. As a member of the executive, his role was to explain the reasons that had led to a specific course of action. No recommendation by the Committee could be implemented if it required his country to disregard prevailing circumstances and sacrifice national security. As long as terrorism continued to exist in Peru, the existence of "faceless courts" would continue to be justified. Although he personally disapproved of the phenomenon, as a member of the executive he had no choice but to uphold its continued existence.

41. The fact that certain prominent Peruvians, including the Ombudsman, opposed the "faceless courts" was of no particular significance. It merely confirmed the existence of freedom of opinion and expression. On the other hand, it was indefensible that the President of the Association of Magistrates should adopt such a position without consulting the rank-and-file members of the Association.

42. In reply to Mrs. Evatt, he said that article 6 of Act No. 2851 - one of the oldest enactments in the country - had been amended by recent labour legislation. Women over 18 were absolutely free to engage in night work. The restrictions on the employment of women in certain occupations such as the sale of newspapers and lottery tickets had also been lifted. Women could be employed, if they so desired, as miners or mechanics and could work in tunnels and quarries.

43. With regard to the protection of women against acts of violence, such acts did not necessarily lead to the conviction of the perpetrators, since they did not always constitute offences. Preventive action was taken, however, to put an end to the violence. Obviously, anyone found guilty of harming a woman's life or health would be punished accordingly. He had no figures on the number of cases or convictions, but would forward them to the Committee as soon as possible.

44. Mr. KLEIN, while recognizing that progress had been made in some areas since the Committee's last meeting with the Peruvian delegation, said he deeply regretted the Government's failure to act on the bulk of the Committee's recommendations and, in particular, its recent extension of the legislation on "faceless judges".

45. The delegation asserted that the Amnesty Decree had no implications for administrative and civil responsibility and that human rights law, as part of public international law, did not seek to punish the perpetrators of violations. Apart from the fact that human rights law increasingly sought to enforce a measure of criminal responsibility, it certainly aimed at securing compensation or satisfaction for the victims, most appropriately, in many cases, through some form of punishment. By removing the possibility of punishment, Peru had failed to meet the requirements of public international law. Setting aside criminal responsibility would not, in principle, affect civil responsibility, but he doubted whether the theory of separation would work in practice, since criminal proceedings were usually the most effective way of getting at the truth.

46. Historical and political experience had shown that exceptional action to deal with exceptional situations must remain within a legal framework that guaranteed a minimum of human rights. Otherwise, innocent people were bound to suffer.

47. Peru could not shirk its international responsibilities, even by amending the Constitution, and must make a further vigorous effort to respect common human rights standards.

48. Mrs. MEDINA QUIROGA said she regretted that the delegation had failed to reply to a number of very specific questions, particularly regarding articles of the Criminal Code and the type of action being taken by the State to deal with particular problems.

49. She had the impression from the delegation's replies on the equality of women that Peruvian legislation left a great deal to be desired in that area. In the absence of legislative changes, there was little hope of a cultural change to the benefit of women.

50. With regard to the four specific cases, she had understood at the previous session that a law existed in Peru that would enable the Government to comply with the Committee's recommendations and wondered whether that law was still in force.

51. States parties to the Covenant had accepted certain restrictions on their sovereignty at the time of ratification, and yet Peru was invoking its sovereignty as an excuse for failing to honour its international obligations.

52. Mr. MAVROMMATIS said he noted that, although the death penalty had become purely symbolic in Peru, the State nevertheless still reserved the right to impose it in certain cases.

53. Justice had to be administered in a certain way in order to deserve the name of justice. The "faceless courts" were an aberration that had existed for an unconscionably long period in Peru.

54. He was amazed to hear a State party to the Covenant invoking sovereignty and territorial integrity as grounds for deviating from its provisions. It was intolerable that the Peruvian Constitution should be incompatible with a Covenant that was not denouncable and urged the delegation to take up that matter of principle at the highest levels of Government.

55. With regard to the four specific cases, he agreed with the suggestion that ex gratia payments were the best solution.

56. Mr. PRADO VALLEJO said that he appreciated the frankness and objectivity of the delegation's answers and hoped that the progress on certain fronts would be extended to all other areas that were currently impeding full enjoyment of human rights. Above all, the fight against terrorism and the associated phenomenon of drug trafficking should not be allowed to encroach on the rights guaranteed by the Covenant.

57. Mr. BUERGENTHAL said that the State of Peru was a party to the Covenant and the executive branch spoke on behalf of that State in international forums.

58. In August 1996, Peru had established a Commission to review cases of innocent individuals who had been convicted under the anti-terrorist procedures involving "faceless judges". That had been a laudable step, but the Peruvian Government had then extended for a further year the practice of "faceless judges" and trials of civilians by military tribunals. The argument seemed to be that it was preferable to convict many innocent people rather than to let one guilty individual escape, which was the reverse of the practice in States where the rule of law prevailed.

59. The argument, based on article 1 of the Covenant, that national law adopted pursuant to a country's Constitution by its legislature must be deemed to be an exercise of the right of self-determination had no basis in international law and, if valid, would do away with international law altogether. It would, for example, permit a country to promulgate legislation

establishing apartheid. The argument had not been seriously thought through, for it would also affect Peru's own international obligations, and its rights vis-à-vis other countries.

60. The report on the four specific cases was an important act of good faith on the delegation's part but, to take the oldest case, the Committee had requested, as early as 1991, that the decision of the Constitutional Court be complied with. It had just been informed that the case was once again before the Constitutional Court. There had to be an end to that process and the proper approach would seem to be, as had been proposed, an ex gratia payment.

61. The novel doctrine of State succession and the notion of the independence and impartiality of military tribunals trying civilians were unacceptable. The members of the Committee took seriously their obligation to promote human rights as stated in the Covenant. They were aware of the grave problems faced by Peru but hoped that, in resolving those problems, Peru would find a proper balance for the protection of human rights.

62. Mr. KRETZMER welcomed the fact that the Minister of Justice had once against come before the Committee in person. Some positive developments had been reported: the Constitutional Court and the Office of the Public Ombudsman were both fully operational. Nevertheless, there were still serious causes for concern. The Covenant bound the State of Peru as such and the argument that Peru's Constitution was not consistent with the Covenant was an unacceptable one. Once a State party adhered to the Covenant, it was duty bound to ensure that all its laws - including its Constitution - were consistent therewith and, if they were not, they had to be amended. All branches of government, including the legislature, were bound by the Covenant, and the Minister himself represented the State of Peru and not just its executive branch.

63. He sympathized both with the people of Peru who were faced with senseless acts of terror and with the dilemma of the Government which had to protect its people, but the phenomenon of terror could not be dealt with by waiving the basic minimum guarantee of a fair trial.

64. He had thus been dismayed to hear that the system of trial by "faceless judges" had been extended for another year. Anyone who had ever been convicted under a system which did not respect the basic guarantees had not been given a fair trial and was therefore presumed not to have been properly convicted and entitled to be released. There could be no justification for upholding the criminal conviction of people under such a system. He had been pleased to hear that 64 people had been pardoned and that 300 cases were still being studied but that was not enough. The burden of proof had to be reversed and all the people concerned released.

65. Mrs. EVATT said that, while she had been very pleased to hear that a Ministry of Women had been established, she remained seriously concerned about a number of matters relating to the equality of women. No doctor would perform an abortion on a victim of rape because he would be committing a crime, and so abortion by a doctor was not available to a rape victim. The delegation had stated that clandestine abortion was the biggest cause of

maternal mortality, which was tantamount to saying that there were very many desperate women in Peru who chose to risk their lives in such a procedure. That could not be regarded as guaranteeing women equal enjoyment of their rights under the Covenant.

66. Peru's measures to deal with terrorism, involved a violation of guarantees under the Covenant. Such measures were always easier to introduce than to remove and were often continued long after the situation invoked to justify them had ended. In the cases concerned, the violations of rights meant that the measures could never be justified. Meeting unlawfulness with further violation contributed to the continuation of the situation itself, and she hoped that the anti-terrorism measures that violated rights under the Covenant would be withdrawn.

67. Mr. Ando, having endorsed the views expressed by other members of the Committee, said that the Government of Peru should reconsider the validity of forbidding the military and the police to vote and to stand for election. There was no sign in the other Latin American countries that upheld the principle that it prevented coups d'état.

68 The Government should also do more to provide children with a balanced and liberal education in general, and in human rights in particular, so that they could develop their capacities to the full: the lack of such an education might have contributed to the activities of Peruvian terrorists. Finally, the Minister had admitted that he was against the system of "faceless judges", and it was to be hoped that the day would soon come when the system was done away with.

69. Mr. POCAR said that he still had many serious concerns regarding the human rights situation in Peru. He associated himself with his colleagues' comments and would have liked to hear more from the delegation on the implementation of the Committee's observations and recommendations made in July 1996 and perhaps fewer remarks that were outside the scope of those recommendations.

70. He had been shocked by what the delegation had said about the relationship between a treaty and a constitution adopted subsequently, and fully endorsed Mr. Buergenthal's comments. A State could not free itself from its international obligations simply by amending or changing its constitution. That was a totally incorrect interpretation of the right of self-determination.

71. With respect to the very old individual communications under the Optional Protocol on which Committee decisions had been reached many years previously, he wondered whether the 1982 Peruvian law that provided for implementation of the Committee's views and decisions was still in force. If it was, he failed to see why the case mentioned by Mr. Buergenthal was going to the Constitutional Court again. The Committee's decision had been adopted and, even if the law was not in keeping with the new Constitution, it was surely not possible for a law to be retroactively repealed by a constitutional court in terms of a new constitution.

72. In general, he had serious doubts as to the legal situation in Peru of the Committee's decisions. He hoped that the delegation would take note of the views expressed by members of the Committee at the current meeting, and that the fourth periodic report would show improvements in Peru's human rights situation.

73. Mr. BHAGWATI fully endorsed the concerns expressed by his colleagues and urged the Government of Peru to make a serious attempt to implement the Covenant. He understood Peru's difficulties with terrorism, but none of the many other countries facing such a problem had resorted to the practice of "faceless judges", a system that could never inspire confidence in the integrity and impartiality of the judiciary.

74. The Minister of Justice, whose personal presence was most welcome, had stated that the "faceless judges" were independent and impartial, but he should remember that justice must not only be done but also be seen to be done and an accused who did not know who his judges were was unlikely to have any confidence in their impartiality or fairness.

75. There could be no justification for entrusting the trial of civilians to military courts for certain kinds of offences. It meant either that the Government felt that such offences would not be tried fairly and satisfactorily by civilian courts or else that a fair trial by a civilian court would not result in a conviction. In either case, it demonstrated a lack of confidence in the normal judicial system.

76. He associated himself with the views expressed by Mrs. Evatt and others regarding the application of the law to women who become pregnant as a result of rape. Under Peruvian law, abortion was legally permissible only if the rape was reported to the police and the abortion performed by a doctor, but many women would be reluctant to disclose that they had been raped, especially if the culprit was a family member. Abortion in such cases must be legalized without the reporting conditions.

77. Lord COLVILLE urged the Minister to persuade his colleagues in the Government that terrorists must be treated as ordinary criminals. If they were so treated, and tried in the ordinary courts, they would never become martyrs or political prisoners.

78. The CHAIRMAN, speaking as a member of the Committee, said that the Committee appreciated the difficulties faced by the Government of Peru, but its measures to combat terrorism must not run counter to its international obligations. The laws, and the constitution, of a State party to an international treaty had to be in conformity with its treaty obligations.

79. The Committee was very concerned about the way in which its views and decisions on communications were followed up and expected a response as soon as possible. There had been some advances since the July meeting, but the Committee still had serious concerns which he hoped the delegation would convey to its Government.

80. Mr. HERMOZA-MOYA (Peru) thanked the Committee for a very interesting and productive exchange. Its views would be analysed in a strictly legal context

and it would, in due course, be informed of the further progress Peru had made in implementing human rights. Peru was well aware of its rights, its obligations and its responsibility to the international community, and would be reporting to the Committee on what it had done to re-establish the confidence of the international community.

81. The CHAIRMAN having stated that the deadline for the presentation of the fourth periodic report of Peru was 9 April 1998, announced that the Committee had concluded its consideration of the third periodic report of Peru (CCPR/C/83/Add.1).

The meeting rose at 5.50 p.m.